



Atty. Docket No.: 3124-Z

Image AF/1645 *B*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard J. Feldmann

Serial No. 09/866,925

Group Art Unit 1645

Filed: May 30, 2001

Examiner John S. Brusca

For: Algorithmic determination of flanking DNA sequences
that control the expression of sets of genes in
prokaryotic, archea and eukaryotic genomes

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals
and Interferences from the decision dated October 8, 2003 of the
Primary Examiner finally rejecting Claims 20 - 37.

The Appeal fee (\$165.00) is:

XX Enclosed: Check - \$375.00 (\$165.00-Notice of Appeal/
\$210.00-2 month extension).

Not required (fee paid in prior appeal in this application
with no Board decision on the merits.)

XX Petition is hereby made to the Commissioner of Patents and
Trademarks to extend the period for filing this Notice of
Appeal for two (2) months, so as to expire March 8, 2004.
The fee for this extension is included in the attached check.

The Commissioner is hereby authorized to charge any additional
fees which may be required (or credit any overpayment) to Deposit
Account No. 26-0090.

Respectfully submitted,

Jim Zegeer

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Date: March 8, 2004

In the event this paper is deemed not timely filed,
the applicant hereby petitions for an appropriate
extension of time. The fee for this extension may
be charged to Deposit Account No. 26-0090 along
with any other additional fees which may be
required with respect to this paper.

03/10/2004 BABRAHA1 00000031 09866925

01 FC:2401 165.00 OP
02 FC:2252 210.00 OP